

## Attachment A

Ordinance No. \_\_\_\_\_

ORDINANCE:

To grant, in part, Zoning Map Amendment Application MAP2008-00104, Mayor and Council of Rockville, Applicant, rezoning property located at 150 Maryland Avenue and 101, 103, 105 and 107 Fleet Street from R-90 to R-90 (HD)

WHEREAS, the Mayor and Council of Rockville, Maryland, 111 Maryland Avenue, Rockville, Maryland, filed application MAP2008-00104, requesting that the property located on the south side of Fleet Street Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, and also being described as part of Lots 1, 2 and 6 through 13, Block 2 in the subdivision known as Rockville Heights, containing 1.57 acres of land, more or less, be placed in the Historic District; and

WHEREAS, the subject property was evaluated for historic, architectural and cultural significance to the City of Rockville, and the Historic District Commission found that the property met the criteria for local historic designation and recommended its placement in the Historic District; and

WHEREAS, the Mayor and Council gave notice that a public hearing on said application would be held by the Mayor and Council of Rockville in the Council Chambers in Rockville on the 28<sup>th</sup> day of July, 2008 at 7:00 p.m., or as soon thereafter as it may be heard, at which parties in interest and citizens would have an opportunity to be heard, which notice was published in accordance with the requirements of Article 66B of the Annotated Code of Maryland; and

WHEREAS, on the 28th day of July, 2008, the said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, after consideration of the record on this application and the testimony

presented at the public hearing, the Mayor and Council has determined that the application should be granted, in part, and that the area to be included in the historic boundaries should be reduced so as to encompass a smaller area of the properties which are the subject of the application; and

WHEREAS, after consideration of the entire record on this application, the Mayor and Council has determined that the property, located on the south side of Fleet Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, and also being described as part of Lots 1, 2, 6, 8 and 10, Block 2 in the subdivision known as Rockville Heights, containing 41,220 square feet of land, more or less, as more fully described in Exhibit A and shown on Exhibit B, attached hereto and made a part of this Ordinance, is historically significant to the City.

The residential properties on Block 2 of Rockville Heights, consisting of 101, 103, 105, 107 Fleet Street and 150 Maryland Avenue illustrate the history of the Rockville Heights Subdivision. The 1889-90 platting of "Rockville Heights" on the old Carter Farm attracted real estate investors from Washington, D.C., as well as local elite families of Rockville who built houses there in the blocks convenient to the town center. The proximity to the courthouse and government offices and to the railroad attracted persons of more than moderate means, business owners and professionals, who purchased homes close to the downtown, but away from its noise, odors, and activity. The plan called for wide boulevards, circles, parks and lakes; similar features to those planned for the competing West End Park development. The large homes built by the Vinson, Peter, Warfield, Bouic and Robertson families were located in the most northern blocks

of the Rockville Heights development and little development occurred further south. Until late in the second quarter of the 20<sup>th</sup> century, most of Rockville Heights remained open fields and meadowlands. Monroe Street and Maryland Avenue ended abruptly at these vacant lands, and the gradual abandonment of the planned 32- block subdivision is documented in six Equity court cases. Although Rockville Heights was subdivided with the promise of being a prominent park-like Rockville neighborhood, financial conditions and competition with other developments in Rockville, nearby Bethesda, and along the Metropolitan Railroad line ensured that it did not fully develop until the mid 20<sup>th</sup> century.

The five properties located at 150 Maryland Avenue, and 101, 103, 105 and 107 Fleet Street remain an illustration of the optimism of what the Rockville Height subdivision might have been. The subject dwellings were built between 1904 and 1936 and represent a library of the architectural styles that span period styles, and represent a concise history of the development of Rockville Heights in the first half of the 20<sup>th</sup> Century. The residential structures represent an intact, cohesive streetscape illustrating the chronology and early architectural history of the Rockville Heights subdivision. They share similar construction and materials, being stick built on the site by individual craftsmen of wood and masonry products. The period of construction was before air conditioning was available or affordable; therefore, all of the houses have a front porch and traditional double sashed windows on all elevations for the cross ventilation that made these houses livable in the summer. These five houses are unified in front setbacks, similar lot size and layout, and retention of residential appearance and character. They were built as middle-to upper-economic-class two-story dwellings. Each of them maintains a distinct individuality

and demonstrates the massing and details that fix them stylistically in the period. They have been altered in their adaptation for use as county offices, but these alterations are generally reversible and are considered by National Register Standards to have minimal impact on the integrity of the structures.

Rockville Heights attracted the attention of real estate investors, one of whom was Clifford H. Robertson, a young attorney and junior partner in Frank Higgins' law, insurance and real estate practice in Rockville. He purchased the lots at 107 Fleet Street in 1902. Shortly afterward, he married Lilian Keiser of Alta Vista in Bethesda, and the newlyweds moved into their newly built home in 1904. Rockville architect Thomas C. Groomes used high style Georgian architecture to design the house.

Mr. Robertson prospered in his legal and business activities. His interest in Rockville history sparked a newspaper quiz on the subject that ran for several weeks in the Montgomery County Sentinel in 1938, arousing discussion about the people, events and physical characteristics of the Town during its first 150 years. The Robertsons occupied the house for 65 years until it was sold by Elizabeth Robertson to the Montgomery County government in 1969.

Robert C. Warfield was the only dentist in Rockville for many years. He owned one of the first cars and telephones in Rockville. In addition, like Clifford Robertson, he was one of the first to build a residence in the Rockville Heights development. The Warfields' large house was located at 200 Maryland Avenue and no longer exists. It was on a two-acre site on the north side of (present) Fleet Street and built before the turn of the century. Robert C. Warfield was raised on a farm on the edge of Laytonsville and attended University of Maryland Dental School. His

first dental office was located over Vinson's Drug Store. According to his son, Gaither P. Warfield, Robert Warfield was on call twenty-four hours a day practicing all aspects of dental work including extracting teeth and making dentures. Dr. Warfield often gave credit to patients and took food in exchange for services provided. He met his wife, Maggie Webb, in Baltimore where she was a teacher. Maggie Webb-Warfield was a very active member of Rockville society. She was a substitute teacher and very involved in the Rockville Women's Club.

Dr. Warfield purchased lots 6, 8 and 10 in block 2 of Rockville Heights in 1915. Between 1926 and 1927, he financed the construction of the three houses across from his home (101 and 105 Fleet Street and 150 Maryland Avenue), which he sold to prominent Rockville families. In 1936, he built the Tudor-inspired house at 103 Fleet Street, which he retained as rental property.

The houses at 101 Fleet and 150 Maryland Avenue were purchased by Rowan and Madelaine Erb in September 1926 and remained in that family until their sale to Montgomery County in 1969. The 105 Fleet Street lot and house became the property of May E. Fisher in 1927 and was later owned by Rockville lumber merchant Leland Fisher until it also was sold to Montgomery County.

The Fleet Street row of houses faces north, starting with 101 Fleet Street at the corner of Fleet Street and Maryland Avenue. The house at 150 Maryland Avenue is located around the corner and faces northwest. All five houses had Maryland Avenue addresses until the late 1970s when this portion of the road was renamed Fleet Street.

101 Fleet Street is a rectangular-shaped house with one-story enclosed front and rear porches and composition shingled side gabled roof. It was built in early 20<sup>th</sup> century vernacular style. Its symmetrical front fenestration suggests Colonial Revival influence. The stucco finish and enclosure of the porch are alterations that are considered reversible. The lot has been reduced in size by the widening of Fleet Street and Maryland Avenue.

103 Fleet Street is a Tudor inspired frame and stucco house with rectangular massing. It is two and one-half stories, two bays wide and two bays deep. It has an extended front gable which establishes asymmetry and forms a porte-cochere side porch. The house has a beveled concrete block foundation, stucco exterior finish and composition shingle roof. There is a central interior chimney and an open rear porch.

105 Fleet Street is a rectangular two and one-half story, two-bay by three-bay Colonial Revival. However, the central pedimented dormer with prominent friezeboard and full-width Doric columned front porch suggest Greek Revival elements and the windows are typical Craftsman style. The house is finished with stucco and has a side-gabled roof with composition shingles. There is an exterior brick chimney on the east and an interior chimney on the west side. The foundation is brick.

107 Fleet Street faces north on Fleet Street at Monroe Street on a large corner lot. It was designed in Colonial Revival style with numerous Colonial Revival details. It has square massing with a Rockville Bay, wrap porch, and rear porch extension. The hipped roof is covered with composition shingles and the frame house is clad in German siding.

150 Maryland Avenue is a two and one-half story Colonial Revival house with a Doric-columned one-story hipped roof front porch. The pyramidal-ridge roof is covered with asphalt composition shingles and contains a central north-facing dormer with two windows. It has some of the same Greek Revival features that are evident at 105 Fleet Street window trim and extended eaves reference the Craftsman style.

107 Fleet Street- The Robertson house imitates the late Georgian period with classical vocabulary such as full entablatures on the columned porch and corner pilasters. The front façade features a Georgian tracery window on the second story and molding of a broken scroll pattern outlining the attic light in the pedimented gable. However, elements of the late 19<sup>th</sup> century styles linger with the airy verandah, and the shallow two-story bay on the east side. The large one over one windows are also carried over from the late Victorian vocabulary, although here they are surrounded by a full architrave with cornice.

WHEREAS, the Mayor and Council finds and determines that the property located on the south side of Fleet Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, and also being described as part of part of lots 1, 2, 6, 8 and 10, Block 2 in the subdivision known as Rockville Heights, containing 41,220 square feet of land, more or less, as more fully described in Exhibit A and shown in Exhibit B, attached hereto and made a part of this Ordinance, is of historical significance and historic designation is appropriate to preserve these sites, structures and their appurtenances and environmental settings; and

WHEREAS, the Mayor and Council further finds and determines that it is appropriate to place the property located on the south side of Fleet Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, and also being described as part of Lots 1, 2, 6, 8 and 10, Block 2 in the subdivision known as Rockville Heights, containing 41,220 square feet of land, more or less, as more fully described in Exhibit A and shown on Exhibit B, attached hereto and made a part of this Ordinance, in the Historic District; and

WHEREAS, the placement of that portion of the property located on the south side of Fleet Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, and also being described as part of Lots 1, 2, 6, 8 and 10, Block 2 in the subdivision known as Rockville Heights, containing 41,220 square feet of land, more or less, as more fully described in Exhibit A and shown on Exhibit B, attached hereto and made a part of this Ordinance in the Historic District Zone will:

- a. Safeguard the heritage of the City by preserving the site and structure, which reflects elements of the City's cultural, social, economic, and political history;
- b. Stabilize and improve property values of historic properties;
- c. Foster civic beauty;
- d. Promote the preservation of the site and structure for the education, welfare, and pleasure of the residents of Rockville; and
- e. Promote the general welfare of the community of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF



ROCKVILLE, MARYLAND, that the application of the Mayor and Council of Rockville, MAP2008-00104, requesting the reclassification of the property located on the south side of Fleet Street between Maryland Avenue and Monroe Street, having street addresses of 150 Maryland Avenue and 101, 103, 105, and 107 Fleet Street, be, and the same is hereby, granted, in part, and the property known as part of Lots 1, 2, 6, 8 and 10, Block 2, having street addresses of 150 Maryland Avenue, and 101, 103, 105 and 107 Fleet Street, in the subdivision known as Rockville Heights, containing 41,220 square feet of land, more or less, as more fully described in Exhibit A and shown on Exhibit B, attached hereto and made a part of this Ordinance, is hereby included in and made a part of the Historic District; and that said property is hereby rezoned from the R-90 Zone to the R-90 (HD) Zone.

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I hereby certify that the foregoing is a true and correct copy  
of an Ordinance adopted by the Mayor and Council at its  
meeting of

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Claire F. Funkhouser, CMC, City Clerk

EXHIBIT "A"  
HISTORIC DISTRICT BOUNDARY  
PART OF BLOCK 2  
ROCKVILLE HEIGHTS

Being a parcel of land located in the City of Rockville, Fourth (4<sup>th</sup>) Election District, Montgomery County Maryland and being part of the following conveyances:

1. Elizabeth Keiser Robertson to Montgomery County, Maryland by deed dated August 26, 1967 recorded in Liber 3897 at Folio 737.
2. Erma H. Fisher to Montgomery County, Maryland by deed dated June 27, 1969 and recorded in Liber 3882 at Folio 202.
3. Gaither P. Warfield et ux to Montgomery County, Maryland by deed dated October 1, 1969 and recorded in Liber 3907 at Folio 790.
4. Rowan F. Erb, et ux to Montgomery County, Maryland by deed dated May 15, 1969 and recorded in Liber 3859 at Folio 773.

All as recorded among the Land Records of Montgomery County, Maryland and also being part of Lots 1, 2, 6, 8 & 10, Block 2 as delineated on a subdivision record plat entitled "ROCKVILLE HEIGHTS" as recorded among the aforesaid Land Records in Plat Book A as Plat No. 56 and being more particularly described in the Maryland State Plane NAD 83/91 Datum by Macris, Hendricks, and Glascock, P.A. as follows:

Beginning at a rebar and cap found on the southerly right-of-way limits of Fleet Street, said point being at the end of the seventh (7<sup>th</sup>) or North 65°26'30" West, 299.58 foot line of a conveyance from Montgomery County, Maryland to The Mayor and Council of Rockville, Maryland by deed dated September 21, 1973 and recorded among the aforesaid Land Records in Liber 4452 at Folio 248, then binding reversely with the

seventh (7<sup>th</sup>), sixth (6<sup>th</sup>) and part of the fifth (5<sup>th</sup>) lines of said conveyance as now surveyed:

1. South 65°29'02" East, 299.54 feet to a P.K. Nail found, then
2. South 20°24'14" East, 35.22 feet to a rebar and cap found, said point being on the westerly right-of-way limits of Monroe Street, then binding with said right-of-way limits
3. South 24°38'21" West, 56.94 feet to a point, then leaving said Monroe Street to cross and include part of the aforementioned conveyances
4. North 66°22'25" West, 315.01 feet to a point, then
5. South 59°21'20" West, 86.13 feet to a point, then
6. South 24°13'34" West, 27.70 feet to a point, said point being on the second (2<sup>nd</sup>) line as described in a conveyance from Malcolm S. McConihe and F. Moran McConihe to Montgomery County, Maryland by deed dated June 19, 1972 and recorded among the aforesaid Land Records in Liber 4248 at Folio 256, then binding reversely with said line as now surveyed
7. North 65°46'26" West, 114.55 feet to a point on the southerly limits of Maryland Avenue, then binding with the said southerly limits of Maryland Avenue
8. North 59°21'20" East, 201.29 feet to the southeast truncation of Maryland Avenue and Fleet Street, said point being at the end of the

eighth (8<sup>th</sup>) or South 86°58'43" West, 44.32 foot line as described in a conveyance from Montgomery County, Maryland to the Mayor and Council of Rockville, Maryland by deed dated September 27, 1973 and recorded among the aforesaid Land Records in Liber 4452 at Folio 248, then binding reversely with said line

9. North 86°56'11" East, 44.33 feet to the point of beginning; containing 41,220 square feet or 0.94627 of an acre of land.

Parcel I.D. = 04-205053 (Lots 1 & 2)  
04-205007 (Lot 6)

Certified correct to the best of my professional knowledge, information and belief and this description was prepared by me and is in conformance with Title 9, Subtitle 13, Chapter 6, Section .12 of the Minimum Standards of Practice for Land Surveyors. If the seal and signature are not violet colored, the document is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

*Douglass H. Riggs III*

Macris, Hendricks & Glascock, P.A.  
Douglass H. Riggs, III, Professional Land Surveyor  
Maryland Registration No. 10712



